

BOARD OF ADJUSTMENT MINUTES

APRIL 27, 2016

The Board of Adjustment of the City of Norman, Cleveland County, Oklahoma, met in Regular Session in Conference Room D of the Norman Municipal Building A, 201-A West Gray, at 4:30 p.m., April 27, 2016. Notice and agenda of said meeting were posted in the Municipal Building at the above address and at www.normanok.gov/content/board-agendas at least 24 hours prior to the beginning of the meeting.

Item No. 1, being:

CALL TO ORDER

Chairman Andrew Seamans called the meeting to order at 4:30 p.m.

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Item No. 2, being:

ROLL CALL

MEMBERS PRESENT

Hank Ryan
Curtis McCarty
Andrew Seamans

MEMBERS ABSENT

Nils Gransberg
Kristen Dikeman

A quorum was present.

STAFF PRESENT

Susan Connors, Director, Planning & Community
Development
Wayne Stenis, Planner II
Leah Messner, Asst. City Attorney
Barbara Burlingame, Code Compliance Inspector
Roné Tromble, Recording Secretary

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Item No. 3, being:

APPROVAL OF MINUTES OF THE MARCH 23, 2016 REGULAR MEETING

Curtis McCarty moved to approve the minutes of the March 23, 2016 Regular Meeting as presented. Hank Ryan seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS

Hank Ryan, Curtis McCarty, Andrew Seamans

NAYS

None

ABSENT

Nils Gransberg, Kristen Dikeman

Ms. Tromble announced that the motion to approve the March 23, 2016 Minutes as presented passed by a vote of 3-0.

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Item No. 4, being:

BOA-1516-19 – HOOPER RENTAL, L.L.C. REQUESTS A VARIANCE OF 12' TO THE 20' REAR YARD SETBACK TO ALLOW CONSTRUCTION OF A RENTAL UNIT (GARAGE APARTMENT) BEHIND THE EXISTING GARAGE FOR PROPERTY ZONED R-3, MULTI-FAMILY DWELLING DISTRICT, AND LOCATED AT 519 WEST COMANCHE STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report
2. 2015 Aerial Photo
3. Plat Map
4. Location Map
5. Application with Attachments

PRESENTATION BY STAFF:

Mr. Stenis reviewed the staff report, a copy of which is filed with the minutes. No protests have been filed.

PRESENTATION BY THE APPLICANT:

Jack Hooper, the applicant – If needed, I've got the architectural renderings of what we're trying to build. It matches. I don't know if you're familiar that this property – Ruth Lawyer lived there for about 23-24 years and it's really a nice piece of property. The reason I bought it – I kind of knew it was R-3 and some circumstances came up and I came down and talked to the City, and I think that's in the report. I really appreciate you guys saying yeah to this property – it's the right thing to do. But if you need to see the renderings of what we're building, it's nicer than any one of the properties that Wayne referred to.

Mr. McCarty asked if it will be a two-car garage and two bedrooms above. Mr. Hooper replied affirmatively.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Hank Ryan moved to approve the Variance of 12' to the required 20' rear yard setback for construction of a garage apartment as requested by the applicant. Curtis McCarty seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS	Hank Ryan, Curtis McCarty, Andrew Seamans
NAYS	None
ABSENT	Nils Gransberg, Kristen Dikeman

Ms. Tromble announced that the motion, to approve the Variance for construction of a garage apartment, passed by a vote of 3-0.

Mr. Seamans noted that there is a 10-day appeal period before the Board's decision is final.

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Item No. 5, being:

BOA-1516-20 – WILLIAM WOODS REQUESTS VARIANCES TO THE MAXIMUM ALLOWED IMPERVIOUS AREA FOR EXISTING PAVEMENT ON PROPERTY ZONED R-2, TWO-FAMILY DWELLING DISTRICT, AND LOCATED AT 1418 AND 1420-1422 GEORGE AVENUE.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report with Aerial Photo
2. Photos
3. Aerial Photo of Neighborhood
4. Location Map
5. Application and Attachments

PRESENTATION BY STAFF:

Mr. Stenis reviewed the staff report, a copy of which is filed with the minutes. There were no protests filed on this application.

Mr. McCarty – So the building is not over the property line. They just poured a lot more concrete.

Mr. Stenis – Right. Let me illustrate that here. Apparently they poured the concrete that was under the permit, built the houses, got the certificates of occupancy, came back later and added a 4' strip here, they added this area, and an 8' strip up through here and added concrete here and a little bit over on this end, which exceeded the front yard coverage and the total coverage on the lot. The result also increased the driveway width from the approved 27' to 35', and in residential areas 20' is the maximum. 1418 had an approved 40% and they ended up with almost 77%. The other property at 1420-1422 had an approved 53% and ended up with 73%. You have more pictures in your packet, I believe. There is a utility easement through there. This driveway (1418) was supposed to be 10' and its 14'. Also back here where the white vehicle is in front of it there's a big area that was not approved in the building permit.

PRESENTATION BY THE APPLICANT:

There was no representative of the applicant present.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Curtis McCarty moved to deny the Variance to the maximum impervious area for 1418 George Avenue. Hank Ryan seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS	Hank Ryan, Curtis McCarty, Andrew Seamans
NAYS	None
ABSENT	Nils Gransberg, Kristen Dikeman

Ms. Tromble announced that the motion, to deny the Variance for 1418 George Avenue, passed by a vote of 3-0.

Hank Ryan moved to deny the Variance to the maximum impervious area for 1420-1422 George Avenue. Curtis McCarty seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS	Hank Ryan, Curtis McCarty, Andrew Seamans
NAYS	None
ABSENT	Nils Gransberg, Kristen Dikeman

Ms. Tromble announced that the motion, to deny the Variance for 1420-1422 George Avenue, passed by a vote of 3-0.

Ms. Burlingame explained the code enforcement process and said she would send a letter stating what happened at the Board meeting and stating that they have 30 days to get a permit or to remove the concrete to come into compliance.

Ms. Messner stated that she did not think it was necessary for the Board to adopt a motion giving the applicant 30 days to come into compliance.

Mr. Ryan commented that he supports the staff recommendation to give the applicant 30 days and thinks that is appropriate.

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Item No. 6, being:

MISCELLANEOUS DISCUSSION

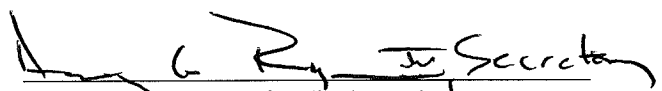
None

Item No. 7, being:

ADJOURNMENT

There being no further business and no objection, the meeting adjourned at 4:51 p.m.

PASSED and ADOPTED this 25th day of May, 2016.


Secretary, Board of Adjustment